

**KENTUCKY BOARD OF EDUCATION
REGULAR MEETING
FEBRUARY 2-3, 2005**

**STATE BOARD ROOM
1ST FLOOR, CAPITAL PLAZA TOWER
FRANKFORT, KENTUCKY**

SUMMARY MINUTES

The Kentucky Board of Education held its regular meeting on February 2-3, 2005, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The Board conducted the following business:

Wednesday, February 2, 2005

KBE INTERNAL AUDIT COMMITTEE MEETING

The Kentucky Board of Education Internal Audit Committee met from 8:00 a.m. to 8:30 a.m. in the First Floor Conference Room.

CALL TO ORDER

Chair Keith Travis called the full Board meeting to order at 8:30 a.m.

ROLL CALL

Present for the meeting were Janice Allen, Dorie Combs, Bonnie Lash Freeman, Jeff Mando, Helen Mountjoy, Hilma Prather, David Rhodes, David Tachau, Keith Travis, Janna Vice and David Webb. Absent was Tom Layzell; however, Jim Applegate was present to give the Council on Postsecondary Education report.

APPROVAL OF MINUTES

David Webb moved to approve the December 8-9, 2004, and January 5, 2005, regular meeting minutes and Jeff Mando seconded the motion. The motion carried.

ANNOUNCEMENTS

Chair Keith Travis made the following announcements:

- Dr. Anne Hancock from the Region IV United States Department of Education office was introduced and welcomed to the meeting.
- To the Management Committee's agenda, an item titled "Waiver request of 702 KAR 5:080 from Floyd County" was added.

REPORT OF THE PRESIDENT OF THE COUNCIL ON POSTSECONDARY EDUCATION

Dr. Jim Applegate was present to give the Council on Postsecondary Education's report. He highlighted the following items:

- Comments on the Council on Postsecondary Education's draft public agenda have been gathered and two changes have occurred per the discussions around the state. A question has been added on affordability and one of the other questions has been changed to focus on the number of baccalaureate degrees in Kentucky.
- Postsecondary Education has been working harder to get students through the pipeline and although progress has been made, Kentucky is not where it needs to be. Postsecondary Education needs the help of the Kentucky Board of Education and Kentucky Department of Education to achieve its goals.
- The Council on Postsecondary Education is close to finalizing the public agenda and the Kentucky Board of Education's help was requested in giving feedback to the Council on the public agenda.

REPORT FROM THE PRE-K TO 16 COUNCIL

Kentucky Board of Education member Bonnie Lash Freeman reported the following as to the activities of the Pre-K to 16 Council:

- Tom Welch reported to the Council on Kentucky education statistics related to the 20th Century workplace. Included were how to keep young minds in Kentucky, building and sustaining professional development capacity and creating an entrepreneurial environment.
- Discussion was continued on the role of local P-16 councils.
- Future Council meetings will have a more limited focus with possible topics such as universal implications of ACT and dual credit.
- The next Council meeting will be on March 23.

REPORT OF THE COMMISSIONER OF EDUCATION

Commissioner Gene Wilhoit reported on the following issues:

- Governor Fletcher's budget was presented last night and can be characterized as a minimum request with the Governor urging the General Assembly to consider more. It includes large dollars for teacher salaries and health insurance and is based on current revenue projections. We are hearing that the intent is to improve Kentucky's antiquated tax system through General Assembly action.

Concerns from Board members were expressed as follows:

- Not enough dollars are included to do the work in professional development that the Kentucky Board of Education desires.
- It is very regrettable that the budget will not be able to implement technology improvements, on-line testing and the other Kentucky Board of Education priority areas. The Board needs to address what this budget means in terms of education and convey it to both houses of the General Assembly.
- The Board's priorities were adopted and should be emphasized to the General Assembly in a non-confrontational way as to their importance.
- KEA should be commended for meeting with as many legislators as possible to raise issues of cost of health insurance, salaries, preschool, technology and other areas.

At this point, Helen Mountjoy emphasized that last year, the Board adopted a position on the budget and forwarded it to the General Assembly. She suggested that a resolution be drafted and brought back to the Board tomorrow for consideration. Mountjoy emphasized that it does not need to be confrontational but instead highlight the support of elementary and secondary education as a foundation for our Commonwealth. She then moved for such a resolution to be drafted and brought back to the Board for review and Janice Allen seconded the motion. The motion carried.

Next, the Commissioner continued his report as follows:

- The National Education Television Association recently gave its annual awards and Kentucky received one-fifth of these for this year. Commissioner Wilhoit asked Malcolm Wall of Kentucky Educational Television (KET) to summarize the awards given to Kentucky. Mr. Wall noted that Kentucky received six awards: two for institutional print design, an award for a drama program and three awards related to partnerships. Those awards involving partnerships included one for producing an instructional media product, which was the Drama Toolkit. An in-service and staff award was given for "Promise Not to Tell" and the Best of the Best award was given to the Arts Toolkit. Mr. Wall said that KET swept the field in national awards and characterized it as a tribute to partnerships. He also noted that KET has received \$1 million from the Annenberg Foundation to develop a program for writing.
- Commissioner Wilhoit and Secretary Fox attended the National Governors' Association planning meeting at the end of January, which was devoted to looking at the high school environment. Seven different strategies to focus on changing high schools were emphasized. A number of national partners are being invited to move this agenda forward.

- The Commissioner has been attending several school visits around the state with Helen Mountjoy and David Tachau attending some of these. The visits will continue after the legislative session.

GOOD NEWS FROM SCHOOLS AND DISTRICTS

The following items of good news were shared with the Board:

- Helen Mountjoy offered congratulations to Bardstown High School principal Tom Hamilton who had been named High School Principal of the Year by the Kentucky Association of Secondary School Principals. Hamilton is a graduate of Bardstown High School and became principal in the fall of 1992. Bardstown has a diverse student population and much of the student body receives either a free or reduced lunch. Under Hamilton's leadership, Bardstown High has been able to significantly narrow the achievement gap. The school is part of the Minority Student Achievement Partnership through the Kentucky Department of Education and has worked to identify best practices for success in closing the gap. During the last two testing cycles, the achievement gap between the white population and the African/American students as essentially been eliminated. Such success is one reason he was chosen for this honor.
- Bonnie Lash Freeman recognized Evan Frank, a senior at duPont Manual High School in Jefferson County, who built a device with metal and styrofoam to test ion propulsion - a method of moving metal objects using only electricity. Frank's studies have earned him state, national and international recognition, most recently in the national Intel Talent Search. He is one of three hundred semi-finalists and the only one from a Kentucky school to win a \$1000 scholarship. Evan's device is called an asymmetrical capacitor. His project has also earned him a \$20,000 scholarship to Indiana University and a full scholarship to the University of Louisville. He wrote a 20-page paper explaining his findings in the Intel International Science and Engineering Fair, for which he won \$1,500. If he makes the final cut in the National Intel Science Talent Search he will win a trip to Washington, D.C. to compete for a scholarship and the grand prize of \$100,000.
- Marsha Garland, a teacher at Frankfort's Bondurant Middle School, received the extra mile award for 2004 and \$10,000 from the Gene and John McConnell Foundation. The extra mile award is "to encourage and reward educators who go the extra mile for their students through performance inside the classroom as well as outside." It is presented annually to an outstanding educator from Frankfort or Franklin County. Garland has more than 20 years of teaching experience, is a mentor for new teachers in the Kentucky Teachers Intern program, a school council member, a writing cluster leader at Bondurant and is active in the community. Janna Vice offered congratulations to Ms. Garland and thanked the McConnell Foundation for recognizing the contributions of outstanding educators to the lives of students.

- Lynn Baldwin, a Conner High School teacher in Boone County, has been named National Special Needs Vocational Teacher of the Year by the National Association of Vocational Education. The Association cited her emphasis to students to be independent thinkers and make wise career decisions as part of the reason she was selected. Baldwin hooked up job-shadowing programs for Conner High School students in the Pathways to Careers Program and have built furniture to express themselves with their hands. She often spends time checking on how her students are doing in the workforce and follows their professional development once they leave school. Jeff Mando offered congratulations to Ms. Baldwin on receiving this national honor.

BOARD MEMBER CONCERNS

Bonnie Lash Freeman reported on the visits that she and Paul McElwain made to some Jefferson County schools regarding the School Breakfast Program. Freeman highlighted the following:

- Two Jefferson County schools did not have the School Breakfast Program when the Board reviewed the status of the program at its December meeting. Paul McElwain and Ms. Freeman, accompanied by Marty Bell from the district, visited the two schools and found them to be very welcoming.
- It was learned that because so many parents are involved in these schools, they chose not to serve breakfast.
- Each principal did assure us that if any child asked for breakfast, it would be provided.
- It is important to realize that these schools have had conversations around school breakfast.
- Ms. Freeman and Paul McElwain will do a follow-up on these visits.

Janna Vice expressed appreciation to the staff for developing replies to the list of questions she submitted in December regarding assessment and accountability.

KDE EMPLOYMENT REPORT

Chair Travis noted that the Department-wide minority employment total of the Kentucky Department of Education was 11.9 percent and the Frankfort-based figure was 12.5 percent.

David Tachau then noted that the number of Frankfort-based employees continues to drop even though staff are asked to do more and more work. He complimented the Commissioner on getting the work done with a shrinking workforce.

KENTUCKY'S WRITING ASSESSMENT

Chair Keith Travis began this item by introducing Eleanor Mills, School Curriculum, Assessment and Accountability Council Chair, and Dr. H.M. Snodgrass, School Curriculum Assessment and Accountability Council Vice Chair and welcomed them to the meeting.

Coming forward to discuss this item was Deputy Commissioner Linda France, Associate Commissioner Starr Lewis, Policy Advisor Nancy LaCount and writing consultant Cherry Boyles.

Associate Commissioner Starr Lewis noted that the proposal on pages 21-24 in the February Agenda Book reflects the Kentucky Board of Education's directions as to its desire for the writing assessment. She noted that it is also based on advice received from the National Technical Advisory Panel on Assessment and Accountability (NTAPAA). Lewis proceeded to summarize the major elements of the chart on page 21-24.

Assessment Committee Chair Hilma Prather noted that the Board asked for input from the Office of Education Accountability and from the School Curriculum, Assessment and Accountability Council (SCAAC). She stated that OEA's response was that the Board should continue to be advised by NTAPAA, as far as looking at the proposal's validity and reliability and its role within the total Request for Proposals as to validity and reliability. Prather noted that SCAAC had six very important cautionary statements and emphasized that the Board will certainly take those under advisement. She emphasized that the proposal coming before the Board today is just the tip of the iceberg because professional development, code of ethics and impact on other grades must be discussed. She went on to say that she can endorse the proposal the Board is considering today contingent on staff bringing the remaining issues to upcoming Board meetings. Prather noted that those decisions can come later but said the writing assessment decisions must be made now in order to impact the structure of the Request for Proposals.

The following issues were pointed out by Kentucky Board of Education members regarding the approach for assessing writing:

- The Board must look at the issue of test overload at grades 5 and 8 as SCAAC noted.
- The Board heard from a large group of fifth grade teachers about moving the on-demand writing and creating a test overload. The total testing system must be considered when looking at the testing load over all grade levels.

At this point, Helen Mountjoy moved to approve staff's recommendation for the writing assessment acknowledging there are some external issues yet to be resolved. Dorie Combs seconded the motion.

The following issues were then raised prior to voting on the motion:

- How to pay for the increased professional development that will be required and the new portfolio audit procedure were raised as issues. The Commissioner responded that staff will have to come back to the Board to scale back the proposal if the vendor bids are above the available budget.
- It was noted that there will be a change in the proposal from auditing a number of portfolios per school to a percentage of portfolios as SCAAC recommended.
- The question was raised as to whether any hard evidence exists that inclusion of the writing portfolio in the accountability index has improved writing. Commissioner Wilhoit responded that there are anecdotal pieces of evidence from higher education, the writing scores themselves and the fact that students are writing better than they have in the past. He emphasized that the portfolios could have much more of an impact if done as envisioned and noted that this is so dependent on teachers' ability to teach writing.
- The Board needs to look at the total student and producing excellence in all subject areas. SCAAC had a motion to put the portfolio in accountability, but it did not receive a second. This needs to be a big concern of the Board. Also, the Kentucky Association of Assessment Coordinators opposes having the portfolio in accountability. The portfolio takes teachers out of the classroom when they need to be there for instructional purposes. Finally, on-demand needs to be left at fourth grade because of the fifth grade opposition.
- It was expressed that what gets assessed gets taught and that the portfolio needs to be kept in accountability.
- The proposal seems to be a complete plan and with the addition of the grade level changes, it seems to be the kind of plan that can be put back in front of OEA, SCAAC and NTAPAA.
- It appears that if the dollars exist to carry out the writing assessment proposal, it will vastly improve the assessment system. However, there are three considerations to look at in order to give approval to the proposal as follows: a) NTAPAA needs to do a comprehensive study of the writing assessment proposal to see if it is valid and reliable and should be added to the accountability calculation; b) NTAPAA should look at the writing assessment proposal in the context of the total Request for Proposals (RFP) as to the validity and reliability of the total system; and, c) the spreading of the testing load across grade levels should be evaluated to make sure that no grade level is at a disadvantage. The Commissioner replied that once the Board approved the proposal, it will go to SCAAC, NTAPAA, OEA and others along with the RFP.

Chair Keith Travis noted that a motion and second to approve the writing assessment proposal was on the floor and the question was called. The motion carried with David Webb and David Rhodes voting no.

FORMAT FOR PRACTICAL LIVING/VOCATIONAL STUDIES AND ARTS AND HUMANITIES ASSESSMENTS

Commissioner Wilhoit reminded the Board that when the Seven Steps Forward document was discussed, concerns were noted about the methods for assessing practical living/vocational studies and arts and humanities. He said that Board members asked him to think about these methods and come back to the Board at a later time. Wilhoit reported that there is not consensus to make dramatic changes in how these areas are assessed at this point. He emphasized that assessing these areas will not be abandoned and said that he would continue to talk to the field about the best way to assess them. However, Wilhoit said he desired to design the Request for Proposals to allow adjustments where needed in these areas. He did note that making changes at this point would seem to cause more concerns than solve problems.

At this point Jeff Mando moved to accept staff's recommendation contained on Page 26A of the February Agenda Book that consisted of:

- Continue the current format for assessing practical living/vocational studies and arts and humanities for the upcoming RFP;
- Study improved ways to assess these content areas during the new contract term in order that the Board can agree on changes prior to the issuance of the next RFP;
- Increase the number of items for these content areas to be similar to the other content areas; and,
- Implement improved ways to assess practical living/vocational studies and arts and humanities via technology in the RFP that will be issued in the spring of 2005.

David Rhodes seconded the motion and it carried.

OTHER ASSESSMENT ISSUES AFFECTING THE REQUEST FOR PROPOSALS (RFP) CONTENT

Commissioner Wilhoit indicated that staff had already begun to put the Request for Proposals (RFP) together and needs feedback on some areas. He cited page 3 of the staff note on page 26B of the Agenda Book where the areas requiring direction were explained. Commissioner Wilhoit then summarized these areas as follows:

- Refined Core Content and Test Blueprint. It is believed to be possible to design a test to cover the core content in a less complicated manner. Previously, Kentucky had six forms on the test to cover the total core content. Lots of ways exist to cover the core content and at the same time have less forms. Staff hopes to have at least two less forms and more common items that can be released to teachers.

- Assessment Design. Fifth grade teachers have a legitimate concern about being overloaded with the amount of testing. The most appropriate learning points for the different disciplines and equal burden of testing in grades 3 through 8 must be determined. The testing plan must also continue an emphasis on open-response and multiple-choice; however, the nature of 25 percent of the multiple-choice will be changed. The plan is to release a number of multiple choice items annually and at least two open-response that can provide options for student accountability. In the past, Kentucky's test has been wedded to a field test model that restricted the release of items and thus, other models are being considered.
- Quicker Return of Results. The real purpose of Kentucky's assessment and accountability system is to assure school accountability; however, the data is not currently in the school's hands for school placement and other instructional decisions. The new design needs to consider having the test data in the schools sooner. This and in-state scoring are both dependent on resources. A transitional plan for moving to on-line assessments will also be built into the RFP.
- Student Accountability. We are finding that high schools are not performing much differently that they did 5-10 years ago. The sooner feedback can be sent to schools the better they can intervene in the lives of students. Great merit exists in incremental steps towards student programming. End-of-course assessments, released items and the tools provided by the management portal must be available to provide better information to students and teachers.
- Alignment with Postsecondary Education Work. Because CATS does not give us the total feedback needed, some propose substituting ACT or an off-the-shelf test. However, this is problematic due to the lack of their alignment with the core content and their lack of rigor. Even if that direction was pursued, it would just give one more measure of whether a student is successful or not. The real value needed in Kentucky is to provide diagnostic experiences at points where students have had enough core content to predict movement toward success or failure. Then, conversations can be had with parents and the student to produce an individual plan that will address any problem areas. As part of the Request for Proposals, a tenth grade diagnostic assessment will be included and the Board needs to indicate whether it supports this direction.

Assessment Chair Hilma Prather said she could support all of these elements that could affect the RFP and was delighted to see the 10th grade diagnostic assessment and focus on aligning with postsecondary education.

MINORITY APPLICANTS FOR CERTIFIED VACANCIES IN KENTUCKY SCHOOL DISTRICTS, 2003-2004 KENTUCKY EDUCATOR PLACEMENT SERVICE (KEPS)

Deputy Commissioner Linda France and Division Director Robby Morton came forward to address this item. Ms. France pointed out that staff encountered some technical difficulties in producing the data this time. She also noted that the category titled

“Ethnicity Not Specified” as a reporting category impacted the accuracy of the data that is being presented to the Board. It was emphasized that this is a federal requirement and was included in the collection of the hiring data as part of the Kentucky Education Reform Act.

Board members expressed the following concerns:

- It is hoped that in the future Board members would be able to see trend lines and an unduplicated count.
- The fact that teachers in the Hispanic category had increased is significant.
- Staff’s efforts were given appreciation, but since people do not have to specify their ethnicity, the data is not reliable and makes the exercise futile.
- Attention still needs to be given to this effort because what is attended to gets attention. Staff was encouraged to pursue ways to improve the data gathering to produce a more accurate picture.

Deputy Commissioner Linda France indicated that the Kentucky Department of Education will be pursuing coordination of this data collection with the Education Professional Standards Board and would try to devise ways to make the data give an accurate picture.

ANNOUNCEMENTS

Chair Keith Travis made the following announcements:

- The Board will break into committees for the rest of the day with the Assessment Committee occurring from 1:00-3:00 p.m. and the Management Committee occurring from 3:00-5:30 p.m. Both meetings will be in the State Board Room.
- Tomorrow morning the Curriculum Committee will meet from 8:00-9:30 a.m. and the KSB/KSD Oversight Committee will meet from 9:30 a.m. – 12:00 p.m. Both meetings are in the State Board Room.
- Board members need to remember that the format being used in committee meetings is the one where only the committee members sit at the table and other Board members sit in the audience to hear the discussion. If Board members have any questions for items, they need to submit them to the Committee Chair in advance.
- The full Board convenes tomorrow at 12:45 p.m. in the State Board Room.

ASSESSMENT COMMITTEE MEETING

Review Items

1. **Revisions to Assessment Regulations to Incorporate Additional Federal Flexibility.** Division Director Bill Insko indicated that the two regulations needed to be updated to make the federal flexibility provision official. He explained that the following language needs to be added to 703 KAR 5:020 and to 703 KAR 5:130: “Participation rate may be computed for the current year, or as an average over two or three years, whichever results in a 95% participation rate.”

Assessment Chair Hilma Prather said that she was delighted to have the opportunity to grant the federal flexibility. Normally, she said these regulations would be final at the next meeting, but clarified staff may be bringing other elements of flexibility for the committee to consider. Thus, Prather said final approval may be delayed until June. Additionally, Ms. Prather suggested that the new language be changed to read as follows: “Participation rate may be computed for the most current two or three years, or as an average over two or three years, whichever results in a 95% participation rate.”

2. **Readiness of School and District Offices for On-line Assessments and Other Large-Scale On-line Applications.** Associate Commissioner of the Office of Education Technology David Couch summarized the results of the on-line readiness survey that his office conducted. Highlights of the survey results included:
 - 75% of our student workstations and 67% of our teacher workstations are too old to run modern large-scale applications. While Kentucky was once a top-rated state for its student technology environment, our technology is aging.
 - Close to 75% of the workstations have access to high speed, efficient networks.
 - 52% of the schools are connected to the district-wide area network hub by fiber, which is encouraging, but 7% of the districts are connected by less than a T1.
 - Zero districts are connected to the state by fiber. Schools and districts will need to upgrade these connections to take advantage of modern applications.
 - 70% of Kentucky’s teachers meet the technology skills required by the state and 121 districts teach keyboarding skills before the fifth grade, two indicators of the readiness of students and educators to take advantage of the technology.
 - The average district has fewer than three people to operate technology, a severe understaffing when compared to organizations of equal size and responsibilities.

Jeff Mando said that he thinks the survey results confirm what Board members suspected. He felt this information needs to be sent to the General Assembly.

Hilma Prather noted that basically the only technology area where we are doing well is teacher preparation.

Helen Mountjoy inquired how much it would take to have Kentucky's system ready for large-scale purposes. Couch replied that Kentucky is underspending on technology by about \$40-\$50 million per year. He went on to say that it would take \$100 million to do total large-scale preparation in one year for all workstations.

Next, Hilma Prather said she saw it as a problem that approximately 50 districts are not teaching keyboarding skills by the 4th grade. She felt that the Department could encourage them to begin keyboarding earlier.

Commissioner Wilhoit suggested that the report be sent to school districts along with recommendations on what they need to do to move toward being ready to do large-scale applications.

Assessment Chair Hilma Prather summarized that she is hearing from the committee that this report should be sent to districts along with recommendations they can implement as well as being sent to the General Assembly.

3. **End-of-Course Assessments and Update on Multi-District Initiative on Standards-Based Mathematics Instruction and Assessment.** Present for this discussion were Division Director Linda Pittenger, Superintendent Paul Upchurch from Elizabethtown Independent, Dr. Bill Bush from the University of Louisville, and Superintendent Dale Brown from Warren County.

Linda Pittenger indicated that there are five districts participating in a project centered on standards-based assessments. She then asked each of the guests present to share highlights that have occurred in the project so far.

Superintendent Dale Brown indicated that in Warren County the focus on the work of several experts caused them to look at what was going on in instruction. He noted that all three of the district's high schools are participating along with one middle school. Brown also noted that a couple of the elementary schools were working on power standards for elementary math. He shared that Dr. Bill Bush from the University of Louisville is the facilitator and that the work is focused on math instruction. Superintendent Brown stated that the teachers are working on end-of-course assessments in mathematics that are administered when students enter the course, show what skills have been mastered and what skills are yet to be learned. He indicated other administrations will occur mid-year and end-of-year. He concluded by

saying this is very exciting work and stressed that much support has been received from Linda France, Gene Wilhoit and Dr. Bush.

Next, Superintendent Paul Upchurch from Elizabethtown Independent shared his viewpoint of his district's participation in the project. He indicated that both the high school and middle school are involved and that the teachers are looking at instruction from the perspective of students in order to produce an opportunity to have a personalized learning program and individual instruction. Upchurch reported that the discussions with teachers in the program require much professional development because the approach takes them out of their comfort zone. He indicated that the teachers in his district are excited about this work.

Dr. Bill Bush from the University of Louisville then shared his perspective as facilitator of this project. Bush noted that the teachers had to figure out the power standards involved in teaching mathematics and noted that this task is very difficult for high school mathematics teachers. Bush commented that the teachers have struggled with the process; however, he emphasized this work is the basis for determining what is important to be taught and tested. He said that the courses on which work is occurring are Algebra I, Geometry and Algebra II. Bush stated that the first task for teachers was to cut the content in half and he stated that amazingly there was a high level of consensus from this exercise. He reported that the groups are now at the point where the selected content that are candidates for power standards have been identified and he explained that the next step will be building the assessment items around these power standards. Bush said the goal is have a product by the end of April.

Board members asked the following questions, which are followed by Department staff's responses:

- Question -When will the end-of-course assessments for mathematics be ready for others to access?

KDE Response – The goal is to have these available in the fall of 2005.

- Question – What are the biggest hurdles in this project?

KDE Response – The biggest hurdles are instructional planning, getting the teachers on board and getting teachers to understand the implications of the work on instruction.

- Question – How will the project proceed to implement it statewide?

KDE Response – The five districts participating in this project are leading the way on end-of-course assessments and their products will be shared with others. Hopefully, the end product will use an item bank approach. Science will be the next area to be developed, then English/language arts.

A similar model will be used for the development in each subject area. Staff sees this as an instructional tool that can have student accountability attached to it.

4. **English Language Proficiency Standards and Assessment Status Report.**

Present for this discussion were Associate Commissioner Starr Lewis, Rina Gratz, Tricia Bronger and Bill Insko. Chair Hilma Prather noted that the *No Child Left Behind Act* focused attention to this area and asked staff to summarize the issues the Board must consider.

Consultant Rina Gratz shared the following about the English language proficiency standards and assessment:

- The Kentucky Board of Education approved written standards for English language learners about one and a half years ago.
- English language learners are held accountable for another set of standards, English language standards. They are also held accountable for the academic standards of mainstream education. Most English language learners are in mainstreamed classes.
- English language learners are a subgroup under Title III who are held to the state targets under *No Child Left Behind* and who must also demonstrate English proficiency.
- Since the Board's approval of the standards, staff has developed instructional companions that give specific strategies for reading, writing, spelling and listening. The tools are posted on the Department's website and are continuously being improved.

Assessment Chair Hilma Prather commented that the Board adopted two tests for assessing English proficiency and that these standards were calibrated on both tests. She asked about the status of using these tests and how their use across the state played out.

Division Director Bill Insko replied that the United States Department of Education asked states to implement a testing program before instruments that had been calibrated to meet *No Child Left Behind* requirements were available. He went on to say that vendors of both tests used in Kentucky have updated them to comply with *No Child Left Behind*. Insko also noted that the United States Department of Education requires states to set baselines and shared that annual measurable objectives are based on state standards. He reported staff mapped Kentucky's standards onto these tests and felt comfortable with the mapping since using these tests was an interim strategy. Insko indicated that staff hoped to reset the baselines at some point since the tests have been revised.

Assessment Chair Hilma Prather asked that since Kentucky is participating in an 18-state consortium to develop a single assessment for English language learners, whether new baselines would have to be set if the Board goes with implementation of the consortium's test.

Rina Gratz responded that originally, the United States Department of Education said that baselines could be reset. However, late last year, she noted, the U.S. Secretary of Education stated that he preferred not to reset the baselines but instead connect the old to the new through mapping or equating. Gratz went on to say that in spring 2006, the single assessment chosen by states must be operationalized. She noted that the test developed by the consortium will be field tested in spring 2005. Gratz also shared that the Board will need to think about issuing a Request for Proposals and consider the cost for implementing this test. She indicated that this summer, alignment studies will be conducted to aid in the Board's decision on choosing a single assessment. Also, Gratz explained, the Board will need to decide in the fall on what test will be adopted so that it can be given in the spring of 2006.

MANAGEMENT COMMITTEE MEETING

Action/Consent Items

1. **2004-2005 Local District Tax Rates Levied.** Management Committee Chair Jeff Mando indicated that some additional districts had been added to the tax rates levied list and asked the committee members to bring forth a motion on this item. David Rhodes then moved to approve all submitted tax rates levied and David Webb seconded the motion. The motion carried.
2. **District Facility Plans: Christian, Elliott, Fayette, Jackson, Lee, Magoffin and Webster Counties and Pineville Independent.** Chair Mando asked for the committee members to consider approval of the submitted facility plans. At this point, Janice Allen moved approval of all submitted plans and Janna Vice seconded the motion. The motion carried.

Action/Discussion Items

1. **702 KAR 3:030, Insurance Requirements (Final).** Associate Commissioner Kyna Koch characterized the request for this amendment as a good government bill and indicated it will stop data collection on whether districts carry the required level of insurance and instead add this element to the checklist for independent auditors to verify. Committee Chair Jeff Mando added that it will reduce paperwork for districts and result in one less report they have to submit. David Rhodes moved final approval of 702 KAR 3:030 and Janna Vice seconded the motion. The motion carried.
2. **702 KAR 5:110, Reimbursement for Vocational Pupil Transportation (Final).** Associate Commissioner Kyna Koch indicated this is another

amendment designed to reduce paperwork. She explained that in the past a monthly report was required and instead, the Department wants to move to an annual report. Koch noted that these districts receive payment based on the tentative calculation and it can be adjusted the next year if necessary.

At this point, David Rhodes moved final approval of 702 KAR 5:110 and David Webb seconded the motion. The motion carried.

3. **SEEK Transportation Funding Formula.** Management Committee Chair Jeff Mando clarified that the Board is being asked to consider making changes to the SEEK transportation formula as part of its legislative agenda.

At this point, Associate Commissioner Kyna Koch alerted the committee to a correction that needed to be made in the Agenda Book on page 142. She said that the sentence should read: "In 2003-2004 the formula provided less than actual cost for 51 county districts, totaling \$13.2 million, including Jefferson County (\$3.8 million) and Fayette County (\$1.5 million). At the same time, it provided more than actual costs for 68 county districts totaling \$13.2 million." She went on to say that at the last Board meeting, members indicated they wanted input from superintendents on this proposal. Koch reported that she had visited four education cooperatives and found the superintendents to have general acceptance of all of the recommendations on page 143 of the Agenda Book. However, she noted that superintendents at all four education cooperatives were very adamant that no changes be made in the SEEK transportation formula until it is first fully funded. Koch pointed out that staff's recommendation in the staff note is also to first fully fund the formula before implementing any of the other changes.

Committee Chair Mando stated that in his mind, if the formula is inequitable, changes need to be made to ensure that it is equitable, regardless of whether the formula is fully funded prior to the amendments.

Ms. Koch responded that districts feel it would be slicing the pie a different way with the formula not being fully funded. She shared that superintendents perceive that the General Assembly picked on one component of the SEEK formula and if this session can be used to fully fund the formula, then the other amendments to the transportation formula can be made during the next legislative session. Koch did point out, however, that some legislators may file a bill to have the changes made anyway regardless of whether the SEEK transportation formula is fully funded.

Committee Chair Mando asked what the pleasure of the committee was and in response David Rhodes moved to fully fund the SEEK transportation formula as part of the Board's legislative agenda and David Webb seconded the motion. The motion carried.

Chair Mando continued that at some point the inequities must be addressed. David Webb added that this should be reviewed with the Local Superintendents Advisory Council. Mando went on to say that Associate Commissioner Koch and her staff need to know how to respond if members of the legislature ask them if a bill containing the amendments to address the inequities would be supported by the Kentucky Board of Education.

After discussion on this issue, the committee came to consensus that it could support amendments 1, 2, 4, and 5 listed as bulleted points on page 143 of the Agenda Book if the computations produce no losers once the SEEK transportation formula is fully funded. David Rhodes so moved and Janice Allen seconded the motion. The motion carried.

4. **Kentucky High School Athletic Association (KHSAA) Board of Control Appointment.** Management Committee Chair Jeff Mando stated that the staff note on appointment of the at-large member to the KHSAA Board of Control was clear. He reminded the Committee members that an additional packet from the Commissioner outlining the selection process accompanied the Agenda Book. Mando recognized David Webb for stimulating the creation of a structured process for selection of these appointments.

Deputy Commissioner Kevin Noland reported that Michael Dailey led the process and felt he did an excellent job. He also applauded David Webb's suggestion and said that the process resulted in 30 candidates.

At this point, David Webb moved to accept the Commissioner's recommendation to appoint Jeff Schlosser to the KHSAA Board of Control and Janice Allen seconded the motion. The motion carried.

5. **Waiver Request of 702 KAR 5:080 as requested by the Floyd County School District.** Chair Mando explained that a visually impaired student needs a certified assistance dog to ride on the bus to accompany him. He noted that in the existing regulation, this is prohibited and thus, Floyd County is asking for a waiver from the provision within 702 KAR 5:080 that puts restrictions on this matter. He shared that staff recommended the Board grant the waiver.

Janna Vice then moved to grant the waiver under similar conditions to the other waivers granted by the Board on the use of assistance dogs on busses. Janice Allen seconded the motion. Chair Mando added that staff should look at bringing this regulation forward for amendment soon since this is the third request from districts for a waiver within a short period of time. The question was called and the motion carried.

Review Items

1. **Report on possible bill to amend the Support Excellence Education in Kentucky (SEEK) funding formula.** Associate Commissioner Kyna Koch used a PowerPoint presentation to explain the components of SEEK, as it now operates, relative to adjusted base guarantee, Tier I and Tier II. This presentation included a series of slides that explained components of a bill that could be introduced to the General Assembly to amend the SEEK funding formula. Koch explained how the amendment would affect the adjusted base guarantee and Tier I. She said that the proposal is called Permissive Equalization.

Chair Mando indicated that Katie Stein and Forrest Coogle visited him and presented a spreadsheet of information on how the components of this bill would affect funding for districts. Koch added that it is difficult to explain this bill because staff does not have the complete data to analyze its effects. She cautioned that it is not likely that there will be more dollars to fund this approach and indicated that its implementation would result in clear winners and losers.

Chair Mando noted that no action was needed on this item but said he wanted the committee to have an understanding of the impact of this bill if it passes. He asked Ms. Koch to keep the Board informed on the status of the bill as it proceeds through the legislature.

2. **702 KAR 6:100, Appeal procedures for school and community nutrition programs.** Chair Mando reminded the committee that the regulation is just being reviewed this time and will come back to the April meeting for final approval. He asked Division Director Paul McElwain to briefly explain the elements related to this regulation change.

Mr. McElwain stated that two acts of the U.S. Congress passed in 2000 made changes to the Food and Nutrition Program. He explained that the Board's regulation related to this matter does not meet the federal requirements. However, McElwain assured the Committee members that none of these changes affect what staff are doing with schools and districts. He clarified that the primary effect will be on the Child and Health Care Food Program.

3. **702 KAR 7:065, Designation of Agent to Manage High School Interscholastic Athletics.** Deputy Commissioner Kevin Noland explained that the Kentucky Board of Education manages high school athletics and has the authority to designate this oversight to an organization, which is currently the Kentucky High School Athletics Association. He noted that every year, the Delegate Assembly meets and considers proposed bylaw changes and then at the next Kentucky Board of Education meeting, the ones that were approved can become part of 702 KAR 7:065, if the Board agrees. Noland pointed out that on page 174A of the Agenda Book, the approved proposals were listed. Noland brought up one controversial proposed amendment, Proposal No. 21. He said that it was explained to the Local Superintendents

Advisory Council last week at their meeting and stated they voted to remand this back to the Board of Control for more study. He reported that KHSAA Commissioner Brigid DeVries indicated there were only ten requests per year for a coach having lesser requirements. Noland recommended that this be solved on a case-by-case basis instead of giving blanket approval to districts.

Committee members came to consensus that Proposal No. 21 needs to be remanded back to the KHSAA Board of Control to examine a second time. They also agreed that approval of these proposals could be considered at the April meeting, minus Proposal No. 21.

4. **Kentucky High School Athletics Association (KHSAA) Title IX Update.** Larry Boucher from KHSAA reported that the organization is now in its first year of the revisit cycle on Title IX audits. He explained that all member schools have been visited in the first five years of the program and said it is now time to start the visits over again.

Chair Mando expressed the Board's appreciation for KHSAA addressing the primetime issue.

5. **KHSAA Annual Reporting Requirements.** Chair Mando noted that the Committee has in the Agenda Book the KHSAA's financial statement, audit report, auditor's correspondence, revenue streams and other information on financial matters. He asked for any questions from Committee members on the audit portion. Julian Tackett noted that this was the most extensive audit KHSAA had ever had and emphasized staff was pleased with the report. Mando noted one concern on the amount of dollars spent on legal fees.

KHSAA Commissioner Brigid DeVries explained that this occurs once cases go from the Board of Control to court. She said that the injunctive process prevents KHSAA from getting its arms around the amount of legal fees.

Chair Mando then suggested that if KHSAA's history shows that more is required for legal fees than has been budgeted in the past, then for future budgets more needs to be allotted for this purpose. He also inquired if KHSAA had ever considered hiring an in-house counsel.

Julian Tackett replied that having an in-house counsel had been studied three times in the last ten years by KHSAA, with the result being that this would not help the situation significantly.

CURRICULUM COMMITTEE MEETING

Action/Discussion Items

1. **704 KAR 3:035, Annual Professional Development Plan (Final).** Policy Advisor David Cook reported to the committee that the definition for high

quality professional development had been amended to clarify and enhance the definition as requested by the Curriculum Committee at the last Board meeting. He then went through the additional changes that had occurred since the committee's last review of 704 KAR 3:035, which were listed on pages 221 and 222 of the February Agenda Book. Cook also noted that a report on paraeducator professional development was sent to the Board in a separate mailing as requested.

At this point, Janna Vice moved to give final approval to 704 KAR 3:035 and Hilma Prather seconded the motion. The motion carried.

Review Items

1. **Update on Reviewing, Updating and Organizing the Content and Student Performance Standards.** Janna Vice expressed a concern that the Program of Studies is not completely aligned with the Core Content. She noted that it was not desirable to have a two-part system that results in instruction that is a mile wide and an inch deep.

Associate Commissioner Starr Lewis explained that staff will first work on the Core Content update on which the Request for Proposals for the new CATS test will be based. Next, she said that the Program of Studies will be reviewed and aligned and it will be decided whether we need separate documents or not.

Hilma Prather emphasized that when the updated Core Content is rolled out, the field will need to be re-educated as to its purpose and the fact that it does not mean that other things cannot be taught just because they aren't in the Core Content.

Associate Commissioner Lewis shared that teachers are being very responsive in reviewing and providing comments on the draft Core Content. She said that the documents are on the Department's website and teachers have the ability to respond to a survey about the documents for about two weeks.

2. **GoHigher Kentucky Demonstration.** Division Director Linda Pittenger indicated that three staff members from the Kentucky Higher Education Assistance Authority (KHEAA) were present today to talk about and demonstrate a wonderful new resource that is available to all students, GoHigher Kentucky. She indicated that the initiative to produce this resource has been led and funded by KHEAA in partnership with the Council on Postsecondary Education and the Kentucky Department of Education. Pittenger emphasized this tool will make student planning for college more effective. She then introduced Ted Franzeim, David Wellman and Deena Spivey from KHEAA and turned the demonstration over to them.

Mr. Franzeim shared that the GoHigher live website is designed to engage students in a cost efficient way to get them excited about college. He stated that the tool will connect students in the middle school years and continue to engage them in high school as to preparation for college. Franzeim noted that the career development piece will help students know why they are in school and help them to decide what career to pursue.

At this point Deena Spivey went into the live site and did a demonstration of the tool.

Bonnie Freeman noted that a communication plan is needed to get the information out about this tool. Commissioner Wilhoit added that the Individual Graduation Plan will be tied to GoHigher.

3. **Reading First and Early Reading Incentive Grant/Read to Achieve Update.** Division Director Michael Miller began the report by making a distinction between the Reading First program and the Early Reading Incentive Grant/Read to Achieve program. Next, Felicia Cummings specifically talked about the status of Reading First in Kentucky and reported that staff is seeing positive results in the field. She reported that the Collaborative Center for Literary Development (CCLD) is the entity that evaluates Kentucky's Reading First program and said the first year evaluation report was submitted to the United States Department of Education in November of 2004. Cummings noted that a professional development tool in the form of an interactive CD-rom is now available for all schools and indicated that KET is creating a professional development tool that will focus on scientifically-based reading instruction and practices. She also shared that the Department Reading First staff and the state Reading First coaches were involved in a week-long planning session in mid-January for the 2005 Reading First Summer Institute. Cummings related that this professional development is a requirement of the approved state plan and will be designed as a follow-up to last year's Summer Institute content.

Kaye Lowe from the CCLD then said she would take any questions on the state evaluation report that CCLD conducted and submitted to the United States Department of Education. She congratulated Felicia Cummings on implementing the advice from CCLD and emphasized that the Collaborative would like to be able to track students by intervention program.

KSB/KSD OVERSIGHT COMMITTEE MEETING

Review Items

1. **Update on KSB Facility Plan, Process for Continuing Communication with the Danville Community regarding KSD, Status of the KSB/KSD Implementation Plan, Visits to the Indiana and Tennessee Schools for the Blind; and Discussion of Major Terminology Pertinent to Issues of**

Closing the Achievement Gap for Students with Disabilities and Presentation from Schools that are Closing the Gap.

Committee Chair David Tachau asked that staff begin with the status of the KSB Facility Plan, which was tentatively approved at the December Kentucky Board of Education meeting. Bill Stearns was asked to indicate the status of this plan.

Stearns reviewed that the public hearing on the KSB Facility Plan occurred on December 2 and said then the KSB Facility Planning Committee met on January 19 to review the public comments from the hearing. In general, he said that no changes were made to the plan with the following qualifications:

- In future planning efforts, a representative of the Clifton neighborhood should be included.
- Also, the head of the KSB Alumni Association should be included in future planning efforts.
- The KSB Facilities Committee desires to have input on any proposed changes in location of outreach programs.

Helen Mountjoy expressed concern that a separate body would want to control the location of outreach programs. Bill Stearns replied that the committee just wanted to provide advice on where programs are housed and has no desire to control the decisions. Thus, Helen Mountjoy then moved final approval of the KSB Facility Plan with the addition of the three items cited by Mr. Stearns. David Webb seconded the motion and it carried.

Next, the Committee moved on to the topic of continuing communication with the Danville community regarding KSD. Associate Commissioner Johnnie Grissom indicated that the facilities planning committees at both schools had very good conversations during the planning process and emphasized that the Department wants to continue this improved communication with both communities. Barb Kibler was asked to address the communication process specifically.

Ms. Kibler noted that at KSD a lot of issues exist about some buildings not being used. She stated that a meeting was held with Bobbie Beth Scoggins from the Commission on the Deaf and Hard of Hearing on how to continue communication on the fate of the buildings. Kibler said it was decided to continue the facilities planning committee as a core group and then add some additional people from the community. As far as ongoing communication with the KSB community, she stated the facilities planning committee will again serve as a core group with additional people incorporated. The group will provide recommendations and input as issues arise.

The committee then moved on to the visits that occurred to the Indiana and Tennessee Schools for the Blind. Mr. Burt Boyer from the American Printing

House for the Blind summarized these visits. Mr. Boyer basically noted that the purpose of the visits was to get ideas that could be implemented at the Kentucky School for the Blind to improve its program.

The status of the KSB/KSD Implementation Plan was the next topic that the committee heard. Committee Chair Tachau indicated that the Implementation Plan was approved by the Board last August and said today's update would deal with the Parent Resource Centers and Outreach.

Wilton McMillan summarized the Implementation Plan efforts at the schools. He noted that at KSD, successful implementation of the Family Resource Center occurred as of January 13. He stated that we need to identify every family in Kentucky who has a deaf or hard of hearing child and pointed out staff is determined to accomplish this. McMillan reported that presentations have been made in different parts of the state and newsletters have gone out relative to outreach efforts. In the future, he explained, efforts will be made to expand on collaboration with relevant groups. Relative to KSB, there has been a resource center there for 12 years. Currently, he stated that the existing materials are being reviewed and reorganized with packets of information for parents being developed. Also, he shared that a short course for parents and an enrichment course will be offered.

It was decided due to time constraints that discussion on the handout on page 256 of the Agenda Book describing the special education process would be delayed until the April meeting.

The last part of the discussion by the KSB/KSD Oversight Committee consisted of presentations by Johnson County Middle School and North Hardin High School, two Kentucky schools that are successfully closing the gap between their special education students and regular education students. The themes heard throughout both presentations included high expectations for all students, emphasizing that students need to be the best they can be, expecting pride and respect for all teachers and school personnel, demonstrating the importance of all students, giving attention to different learning styles, using data analysis to improve instruction, believing what is monitored gets done, and attending to school culture.

PROVIDING SUPPORT TO LOW PERFORMING SCHOOLS NOT CURRENTLY IDENTIFIED AS BEING IN ASSISTANCE THROUGH THE USE OF COMMONWEALTH SCHOOL IMPROVEMENT FUNDS AND RESEARCH REPORT ON HIGH-PERFORMING, HIGH-POVERTY SCHOOLS IN KENTUCKY

The first part of the presentation dealt with the release of a research report on high-performing, high-poverty schools in Kentucky that was conducted by Patricia Kannapel and Steve Clements. Bob Sexton from the Prichard Committee recognized and introduced the staff from the nine schools involved in the study and noted that it proved that family and income do not determine the destiny of students. Deputy Commissioner

Linda France introduced Ms. Kannapel and Mr. Clements. They indicated that the Ford Foundation and the Prichard Committee provided funding for the study. The research study found the following to be characteristics of high-performing schools:

- School-wide ethic of high expectations for faculty, staff and students;
- Caring and respectful relationships;
- Strong academic instructional focus;
- Systems for assessing individual students on a regular basis;
- Collaborative decision making led by non-authoritarian principals;
- Strong work ethic and high faculty morale; and,
- Intentional recruitment, hiring and assignment strategies for teachers.

The second part of the presentation dealt with providing support to low-performing schools not currently being identified as being in assistance through the use of the Commonwealth School Improvement Funds. Division Director Pat Hurt was present to talk about this topic. She began by saying that the results of the study just heard by the Board very much align with what Department staff have learned about schools through the Scholastic Audits and Reviews. Hurt commented that the Board and staff are interested in offering assistance to more schools than just those in Levels I, II or III. She noted the criteria used to select the schools were academic index, novice rate and achievement gaps. Hurt reported that taking most of Jefferson County Schools out resulted in about 50 schools being eligible for this targeted assistance. She emphasized that the acceptance of this assistance is voluntary and said staff feels that it is appropriate to move forward with making these offers of assistance.

At this point, David Tachau moved approval of the Department moving forward with these offers of assistance and the process described in providing this assistance. Bonnie Lash Freeman seconded the motion and the motion carried.

APPROVAL OF ACTION/CONSENT AGENDA ITEMS

Management Committee Chair Jeff Mando moved approval of the action/consent items on school district tax rates levied and the local district facility plans. The Board concurred with the motion.

CURRICULUM COMMITTEE REPORT

Chair Dorie Combs reported on the one action item from her committee, which was 704 KAR 3:035, Annual Professional Development Plan (Final). She indicated that the changes recommended by the Local Superintendents Advisory Council had been made to the regulation and moved its final approval. The Board concurred with the motion.

MANAGEMENT COMMITTEE REPORT

Chair Jeff Mando reported on the action items from his committee as follows:

- 702 KAR 3:030, Insurance Requirements (Final) was recommended for final approval and Jeff Mando so moved. The Board concurred with the motion.
- 702 KAR 5:110, Reimbursement for Vocational Pupil Transportation (Final) was characterized as reducing paperwork and it was noted that the Local Superintendents Advisory Council supported the amendments. Committee Chair Jeff Mando moved final approval of 702 KAR 5:110 and the Board concurred with the motion.
- SEEK Transportation Funding Formula received strong comments from superintendents to fully fund the formula before any other amendments are made to it. Committee Chair Jeff Mando moved to make fully funding the existing SEEK transportation formula part of the Board's legislative agenda. The Board concurred with the motion. Mando went on to say that a connected item to this was the existence of proposed amendments to the transportation formula on page 143 of the Agenda Book. He indicated that the Management Committee recommends that if and only if full funding of the transportation formula occurs should the Kentucky Department of Education recommendations for amendment be implemented, with the exception of number 3. Mr. Mando so moved and the Board concurred with the motion.
- Kentucky High School Athletic Association (KHSAA) Board of Control Appointment of Jeff Schlosser to the Board of Control was recommended by the Management Committee. Chair Mando so moved and the Board concurred with the motion.
- Waiver request from 702 KAR 5:080 by Floyd County was a request to waive the provision of this regulation that prevents assistance animals from accompanying students on the bus. Chair Mando said the committee recommends approval of the waiver and he so moved. The Board concurred with the motion.

KBE INTERNAL AUDIT COMMITTEE REPORT

Chair Janna Vice reported that the Committee reviewed the State Auditor's report on the audit of the Kentucky Department of Education. She indicated the audit followed up on purchasing, expenses and cooperative transactions. Vice pointed out that while the Auditor's report did note some weaknesses, John Cubine of the Auditor's office noted that the Kentucky Department of Education holds itself to a stricter set of procedures than are required by state statute. Vice went on to say that the report found no violations and said that most of the problems dealt with signatures being missing on invoices. She commented that the Kentucky Department of Education staff will continue to monitor

being in compliance with internal procedures and said that staff will report back to the committee on the status of this monitoring.

HEARING OFFICER'S REPORT

Deputy Commissioner Kevin Noland reported that three weeks ago the LRC Administrative Regulation Review Subcommittee examined the secondary GED regulation and said after a lengthy discussion the committee approved it. He noted that the education committees chose not to review the regulation and thus, he stated it will go into effect.

Noland moved on to say that in December the Board approved amendments to the home/hospital regulation. He reported that no comments were received at the public hearing but said written comments were received within the allowed time frame that required the Board's consideration. Noland referred the Board to the meeting folder where members would find a Statement of Consideration that requires action. He reported that the person sending the written comments raised three points and said the Board has the discretion to make these changes in the regulation or keep the regulation the same as passed in December.

At this point, Jeff Mando moved to adopt the Statement of Consideration as written and Helen Mountjoy seconded the motion. The motion carried.

Noland continued that there are ten performance judgment appeals that the Advisory Committee will examine tomorrow. He said that schools will be made aware of the data review decision and consulted to see if they want to contest the ruling. Noland asked for a motion to delegate any of these appeals that are contested by school districts to a hearing officer. Helen Mountjoy so moved and Bonnie Lash Freeman seconded the motion. The motion carried.

Board Chair Keith Travis announced that he proposes David Webb to chair the Performance Judgment Appeals Panel with the other members being Hilma Prather and himself. Janna Vice moved to accept the Performance Judgment Appeals Panel appointments and Janice Allen seconded the motion. The motion carried.

INTERNAL BOARD BUSINESS

Commissioner Wilhoit brought up the fact that the April meeting is scheduled to occur during most schools' spring break. He said that some key staff have long-term commitments and will not be able to be at the meeting. The Board by consensus indicated that if certain staff had commitments, they should keep them even though the meeting will be held as scheduled.

At this point, Board members considered the latest draft of the letter to be sent to General Assembly members on full funding of education. Jeff Mando moved to accept the letter and Bonnie Lash Freeman seconded the motion. The motion carried.

ADJOURNMENT

At 3:40 p.m., David Rhodes moved to adjourn and Bonnie Lash Freeman seconded the motion. The motion carried.